

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CLERK'S COPY
FILED
AT ALBUQUERQUE NM
MAR 16 2000

UNITED STATES OF AMERICA,

ROBERT M. MARCH
CLERK

Plaintiff,

v.

No. CIV-00-0243 JC/LCS
CR-97-585 JC

DORIS FELIX-LUJAN,

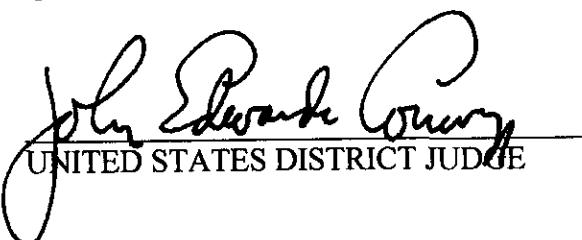
Defendant.

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Defendant's motion for reconsideration of sentence for possible reduction filed February 17, 2000. The motion alleges that Defendant has undergone significant rehabilitation and her family's circumstances have deteriorated since her incarceration.

The motion must be denied. This Court "does not have inherent authority to modify a previously imposed sentence; it may do so only pursuant to statutory authorization." *United States v. Mendoza*, 118 F.3d 707, 709 (10th Cir. 1997) (citing *United States v. Blackwell*, 81 F.3d 945, 947-48, 949 (10th Cir. 1996)). A motion for reduction of sentence based on family hardship is contemplated only by 18 U.S.C. § 3582(c)(1)(A), at best, and must be brought by the Director of the Bureau of Prisons. *United States v. Smartt*, 129 F.3d 539, 541 (10th Cir. 1997). The Court has no authority to grant the relief sought, and the motion will be denied.

IT IS THEREFORE ORDERED that Defendant's motion for reduction of sentence filed February 28, 2000, is DENIED, and this civil proceeding is DISMISSED.


UNITED STATES DISTRICT JUDGE

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